

BOARD OF APPEAL REFERRALS

FEBRUARY 18, 1982

1. Z-5490 Douglas Keefe
1311-1321 Dorchester Avenue, Dorchester
2. Z-5505 Donald Harrisson
23 Linwood Street, Roxbury
3. Z-5506 Richard J. & Deborah M. McCarthy
249 Bunker Hill Street, Charlestown
4. Z-5507 Mav Ris Realty Trust, R. Dell Orfano, Trustee
115 Bremen Street, East Boston
5. Z-5509 Roy Nick McPherson & Jasenka Diminic
877 Beacon Street, Boston
6. Z-5513 Richard Ruggiero
179 rear Marion Court, East Boston
7. Z-5517 Mykolas Hazen & Theodore Sicker
20 Boylston Street, Jamaica Plain
8. Z-5521 1255 Boylston Street Trust, Joseph Swan, Trustee
1255-1261 Boylston Street, Boston
9. Z-5522 Anthony Famolare
8 Ford Street, East Boston
10. Z-5523 Greater Boston YMCA
776 Washington Street, Dorchester
11. Z-5524-5525 Franruss Corporation, James R. Barrett, Tr.
396-398 Centre Street, Dorchester
12. Z-5528 Michael Murray
6 Quint Avenue, Allston
13. Z-5530 Michael LoPresti, Jr.
23 Waldemar Avenue, East Boston
14. Z-5531 Mary E. Maheigan
42 Auburn Street, Charlestown
15. Z-5544 The Boston Home, Inc., Cletus A. Carr
2049 Dorchester Avenue, Dorchester

MEMORANDUM

February 18, 1982

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert J. Ryan, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing:

Z-5490
Douglas Keefe
1311-1321 Dorchester Ave
Dorchester
at Linden St

One story structure

District(s): apartment _____ general business _____ industrial _____
residential _____ local business L-1 waterfront _____
single family _____ manufacturing _____

Purpose: change occupancy from service station to automotive repair,
car rental and used car sales; erect one story addition

Violation(s):
Section

- 8-7 Outdoor sale of used motor vehicles is forbidden in an L-1 district
- 8-7 Rental agency is forbidden in an L-1 district
- 8-7 Repair shop garage is conditional in an L-1 district
- 20-1 Rear yard is insufficient

Uses are existing. Appellant has reviewed petition with and has support of Fields Corner Community Development Corporation, residents and abutters. Recommend approval with proviso.

VOTED: In reference to petition Z-5490, brought by Douglas Keefe, 1311-1321 Dorchester Avenue, Dorchester, for two forbidden uses, a conditional use and variance for change of occupancy from service station to automotive repair, car rental, used car sales and erect a one story addition in a local business (L-1) district, the Boston Redevelopment Authority recommends approval with proviso that the uses extend to appellant only and expire upon sale, lease or other disposition of property. Appellant has reviewed petition with and has support of Fields Corner Community Development Corporation, residents and abutters.

(DOR.)

ANS

11

4314

[illegible]

Z-5490
(1311-1321 DORCHESTER AVE.
(DOR.)

Board of Appeal Referrals 2/18/82

Hearing: 3/2

Z-5505
Donald Harrisson
23 Linwood St, Roxbury
near Highland St

Three story structure

District(s):	apartment <u>H-1</u>	general business <u> </u>	industrial <u> </u>
	residential <u> </u>	local business <u> </u>	waterfront <u> </u>
	single family <u> </u>		manufacturing <u> </u>

Purpose: legalize occupancy - three family dwelling; enclose roof deck.

Violation(s):
Section

15-1. Floor area ratio is excessive .

Petitioner purchased building from Authority and is rehabilitating it in accordance with an approved development plan. Roxbury Action Program and residents indicate support. Recommend Approval.

VOTED: In reference to petition Z-5505, brought by Donald Harrisson, 23 Linwood Street, Roxbury, for a variance to legalize occupancy as three family dwelling and enclose roof deck in an apartment (H-1) district, the Boston Redevelopment Authority recommends Approval. Petitioner purchased building from Authority and is rehabilitating it in accordance with an approved development plan. Roxbury Action Program and residents indicate support.



Board of Appeal Referrals 2/18/82

Hearing: 3/9

Z-5506

Richard J & Deborah M McCarthy
249 Bunker Hill St, Charlestown
at Allston St

3½ story structure

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business <u>L-1</u>	waterfront_____
	single family_____		manufacturing_____

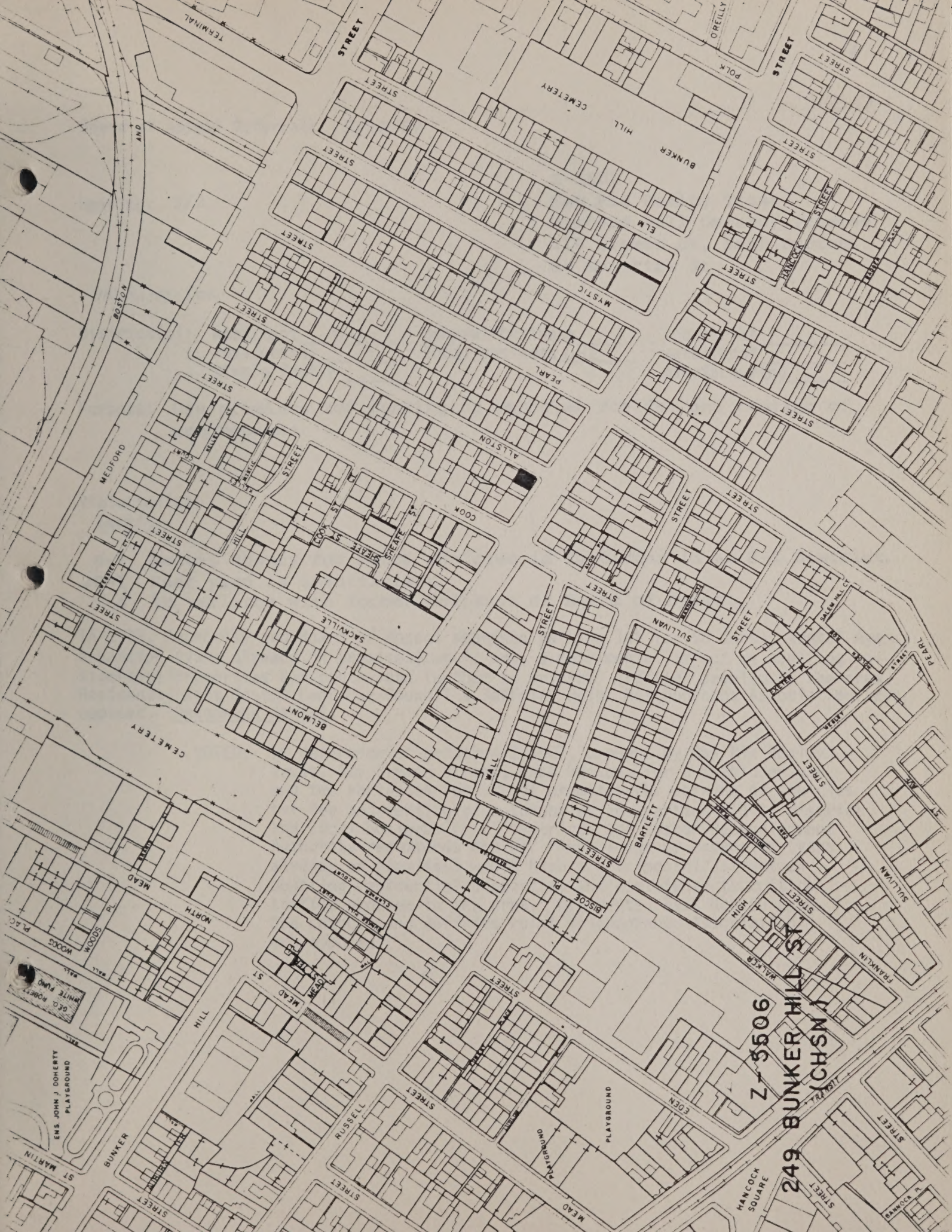
Purpose: change occupancy from two family dwelling & store to four apartments.

Violation(s):
Section

- 16-1. Height of building is excessive.
- 17-1. Open space is insufficient .

Petitioner is owner occupant. At time of purchase two years ago, the building was occupied by three families; conversion to a four family dwelling is consistent with neighborhood residential character. Substantial improvements have been made to facade of the "Federalist" structure. Recommend Approval.

VOTED: In reference to petition Z-5506, brought by Richard J. & Deborah M. McCarthy, 249 Bunker Hill Street, Charlestown, for two variances for change of occupancy from two family dwelling and store to four apartments in a local business (L-1) district, the Boston Redevelopment Authority recommends approval. Petitioner is owner occupant. At time of purchase two years ago, the building was occupied by three families; conversion to four family dwelling is consistent with neighborhood residential character. Substantial improvements have been made to facade of "Federalist" structure.



Z-3506

249 BUNKER HILL ST

(CHSN)

Board of Appeal Referrals 2/18/82

Hearing: 3/2

Z-5507

Mav Ris Realty Trust
Richard Dell Orfano, Trustee
115 Bremen St, East Boston
at Maverick St

Parking lot

District(s): apartment H-1 general business _____ industrial _____
residential _____ local business L-1 waterfront _____
single family _____ manufacturing _____

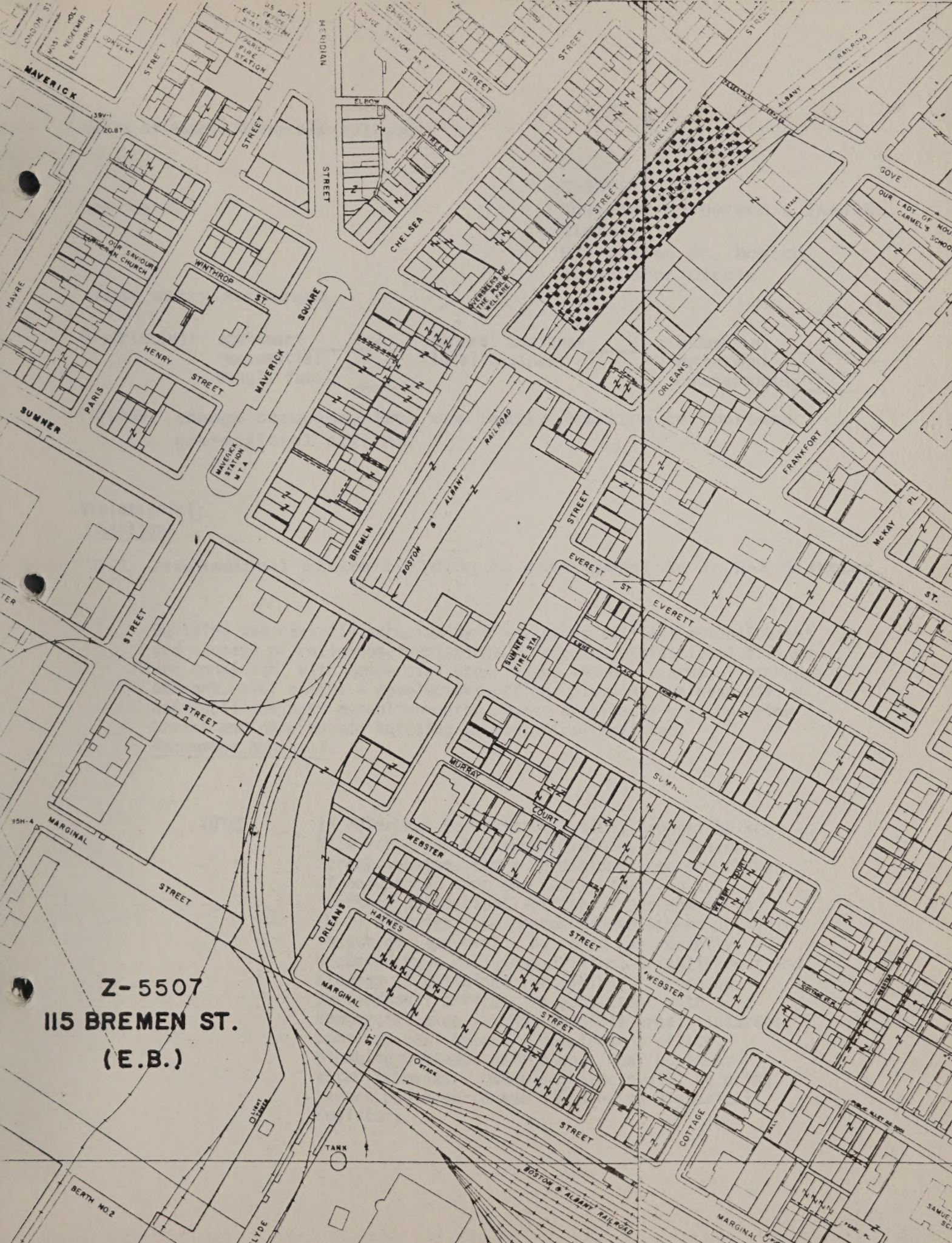
Purpose: Use premises for parking of vehicles for fee and renting of automobiles.

Violation(s):
Section

- 8-7 Rental agency for motor vehicles is forbidden in an H-1 district.
- 20-1 Rear yard is insufficient.
- 7-4 In variance with former decision of Board of Appeal.

In 1977, Authority and Board of Appeal approved parking lot for 58 cars. Rental Agency expansion (vans already on premises) would have a detrimental affect on abutting residential properties and contribute further to critical traffic problem in the area. Residents, East Boston Land Use Council & Jeffries Point Neighborhood Association are opposed. Recommend denial.

VOTED: In reference to petition Z-5507, brought by Mav Ris Realty Trust, 115 Bremen Street, East Boston, for a forbidden use and two variances for use of premises for parking of vehicles for fee and renting of automobiles in apartment (H-1) district and local business (L-1) district, the Boston Redevelopment Authority recommends denial. Rental agency expansion (vans already on premises) would have a detrimental affect on abutting residential properties and contribute to critical traffic problem in the area. Residents, East Boston Land Use Council and Jeffries Point Neighborhood Association are opposed.



Z-5507
115 BREMEN ST.
(E.B.)

Board of Appeal Referrals 2/18/82

Hearing: 3/2

Z-5509

Roy Nick McPherson & Jasenka
Diminic
877 Beacon St, Boston
at Audubon Circle

Four story structure

District(s): apartment H-2 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: change occupancy from one family dwelling to fourteen
professional offices.

Violation(s):
Section

8-7. Professional office building is conditional in an H-2 district.

Building was recently occupied by a religious artifact establishment
and storage of religious furnishings. Proposed professional offices
are consistent with commercial uses in the immediate area: insurance
company, real estate - development office, plumbing business office
and local business establishments. Owner architects will be prime
tenant and hope to add building to Historical Register.

Recommend Approval.

VOTED:

In reference to petition Z-5509, brought by Roy
Nick McPherson & Jasenka Diminic, 877 Beacon
Street, Boston, for a conditional use for change
of occupancy, from one family dwelling to
fourteen professional offices in an apartment
(H-2) district, the Boston Redevelopment Authority
recommends approval. Building was recently
occupied by a religious artifact establishment and
storage of religious furnishings. Proposed
professional offices are consistent with
commercial uses in the immediate area: insurance
company, real estate - development office,
plumbing business office and local business
establishments. Owner architects will be prime
tenant and hope to add building to Historical
Register.

LINE

Z - 5509
877 BEACON ST.
(B. P.)



Board of Appeal Referrals 2/18/82

Hearing: 3/9

Z-5513
Richard Ruggiero
197 rear Marion Court, East Boston
at Marion Street

One story structure

District(s): apartment H-1 general business _____ industrial _____
 residential _____ local business L-1 waterfront _____
 single family _____ manufacturing _____

Purpose: change occupancy from three car garage to business garage
(waxing and cleaning of cars).

Violation(s):
Section

8-7. Business garage for cleaning and waxing motor vehicles is
conditional in an L-1 district and forbidden in an H-1 district.

Marion Court is a small narrow private way in the middle of a
residential block. Proposed auto use located at end of the Court
would have an adverse affect on the predominant three family
neighborhood, create unwanted vehicular traffic and hazardous
conditions to pedestrians. Recommend Denial

VOTED: In reference to petition Z-5513, brought by Richard Ruggiero,
197 rear Marion Court, East Boston, for a conditional use
and a forbidden use for change of occupancy from three
car garage to business garage in apartment (H-1) & local
business (L-1) districts, the Boston Redevelopment Authority
recommends denial. Marion Court is a small narrow private
way in the middle of a residential block. Proposed auto
use located at the end of the Court would have an adverse
affect on the predominant three family neighborhood,
create unwanted vehicular traffic and hazardous conditions
to pedestrians.



Z-5513

197(R) MARION CT.
(E.B.)

Board of Appeal Referrals 2/18/82

Hearing: 3/2

Z-5517

Mykolas Hazen & Theodore Sicker
20 Boylston St, Jamaica Plain
near Centre Street

2½ story structure

District(s):	apartment_____	general business_____	industrial_____
	residential <u>R-.5</u>	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: change occupancy from two to three family dwelling.

Violation(s):
Section

- 8-7 Three family dwelling is forbidden in an R-.5 district.
- 8-7 Dwelling converted for more families which meets less than half of the lot area and open space requirements is forbidden in an R-.5 district.
- 14-1 Lot area is insufficient.
- 14-3 Lot width is insufficient.
- 14-4 Lot frontage is insufficient.
- 17-1 Open space is insufficient.

Three family occupancy has existed over twenty years and is consistent with properties in the immediate area. No objections. Recommend approval.

VOTED: In reference to petition Z-5517, brought by Mykolas Hazen & Theodore Sicker, 20 Boylston Street, Jamaica Plain, for two forbidden uses and four variances for change of occupancy from two to three family dwelling in a residential (R-.5) district, the Boston Re-development Authority recommends approval. Three family occupancy has existed over twenty years and is consistent with properties in the immediate area.



Z-5517

20 BOYLSTON ST.
(J.P.)

STREET

STREET

DANFORTH

STREET

SHERIDAN PL.

PAUL GORE TER

STREET

BEECHER

STREET

ST. PETER

STREET

STREET

WELLS

BELMORE

TERRACE

OAK VIEW

BOYLSTON

RISWAY

KINGSBORO

PARK

AVENUE

AVENUE

RESERVATION

ADMIT CENTRE

WYMAN

FORBES

WIDAN

STREET

BARBARA

Board of Appeal Referrals 2/18/82

Hearing: 2/23

Z-5521

1255 Boylston Street Trust
 Joseph Swan
 1255-1261 Boylston St, Boston
 near Ipswich St

Three story structure

District(s):	apartment_____	general business <u>B-2</u>	industrial_____
	residential_____	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: change occupancy from offices to offices and school.

Violation(s):
Section

8-7 Trade school is conditional in a B-2 district.

Women's Technical Institute, a training center in electronics, has operated in the Fenway area for past six years. Use is consistent with commercial area. Twenty off-street parking spaces have been leased at nearby parking facility. Majority of students will use public transportation. Recommend approval.

VOTED: In reference to petition Z-5521, brought by 1255-1261 Boylston Street, Boston, for a conditional use for change of occupancy from offices to offices and trade school in a general business (B-2) district, the Boston Redevelopment Authority recommends approval. Women's Technical Institute, a training center in electronics, has operated in the Fenway area for past six years. Use is consistent with commercial area. Twenty off-street parking spaces have been leased at nearby parking facility.



FENWAY PARK

IPSWICH STREET

IPSWICH STREET

IPSWICH STREET

IPSWICH STREET

Z-5521

1255-1261 BOYLSTON ST.

(B.P.)

JERSEY

PARKING AREA

PARKING AREA

KILMARNOCK

SEVEN DENIST
MOVIE
TEMPLE
& SCHOOL

STREET

AVENUE

STREET

BROOKLINE

BOYLSTON

BOYLSTON

Board of Appeal Referrals 2/18/82

Hearing: 3/2

Z-5522

Anthony Famolare
8 Ford Street, East Boston
at Whitby Street

Three story structure

District(s):	apartment_____	general business_____	industrial_____
	residential <u>R-.8</u>	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: legalize occupancy - four apartments.

Violation(s):

Section

- 8-7 Dwelling converted for more families which meets at least half of the lot area requirements is conditional in an R-.8 district.
14-1 Lot area is insufficient.

Four unit occupancy has existed more than twenty years. No impact on the residential-local business neighborhood. Recommend approval.

VOTED: In reference to petition Z-5522, brought by Anthony Famolare, 8 Ford Street, East Boston, for a conditional use and variance to legalize occupancy for four apartments in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval. Occupancy has existed more than twenty years. No impact on the residential -local business neighborhood.



Z-5522
8 FORD ST.
(E.B.)

Board of Appeal Referrals 2/18/82

Hearing: 2/23

Z-5523

Greater Boston YMCA
776 Washington St, Dorchester
near Ashmont St

One story structure

District(s):	apartment _____	general business _____	industrial _____
	residential <u>R-.8</u>	local business _____	waterfront _____
	single family _____		manufacturing _____

Purpose: change occupancy from community center-sauna room to community center-sauna room & day care center

Violation(s):
Section

8-6 Change in conditional use

8-7 Day care center is conditional in an R-.5 district

The "Y" has been in present location over thirty years. Community room would be converted to day care center for twenty children ages 3-5. Need for this facility exists in the area. Recommend approval.

VOTED: In reference to petition Z-5523, brought by Greater Boston YMCA, 776 Washington Street, Dorchester, for a conditional use for change of occupancy from community center-sauna room to community center-sauna room & day care center in a residential (R-.8) district the Boston Redevelopment Authority recommends approval. Community room would be converted to day care center for twenty children ages 3-5. Need for this facility exists in the area.

(DOR.)



Board of Appeal Referrals 2/18/82

Hearing: 3/2

Z-5524-5525

Franruss Corporation

James R Barrett

396-398 Centre Street, Dorchester
near Adams Street

Three story structure

District(s):	apartment_____	general business_____	industrial_____
	residential <u>R-.8</u>	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: subdivide lots - two three family dwellings

Violation(s):

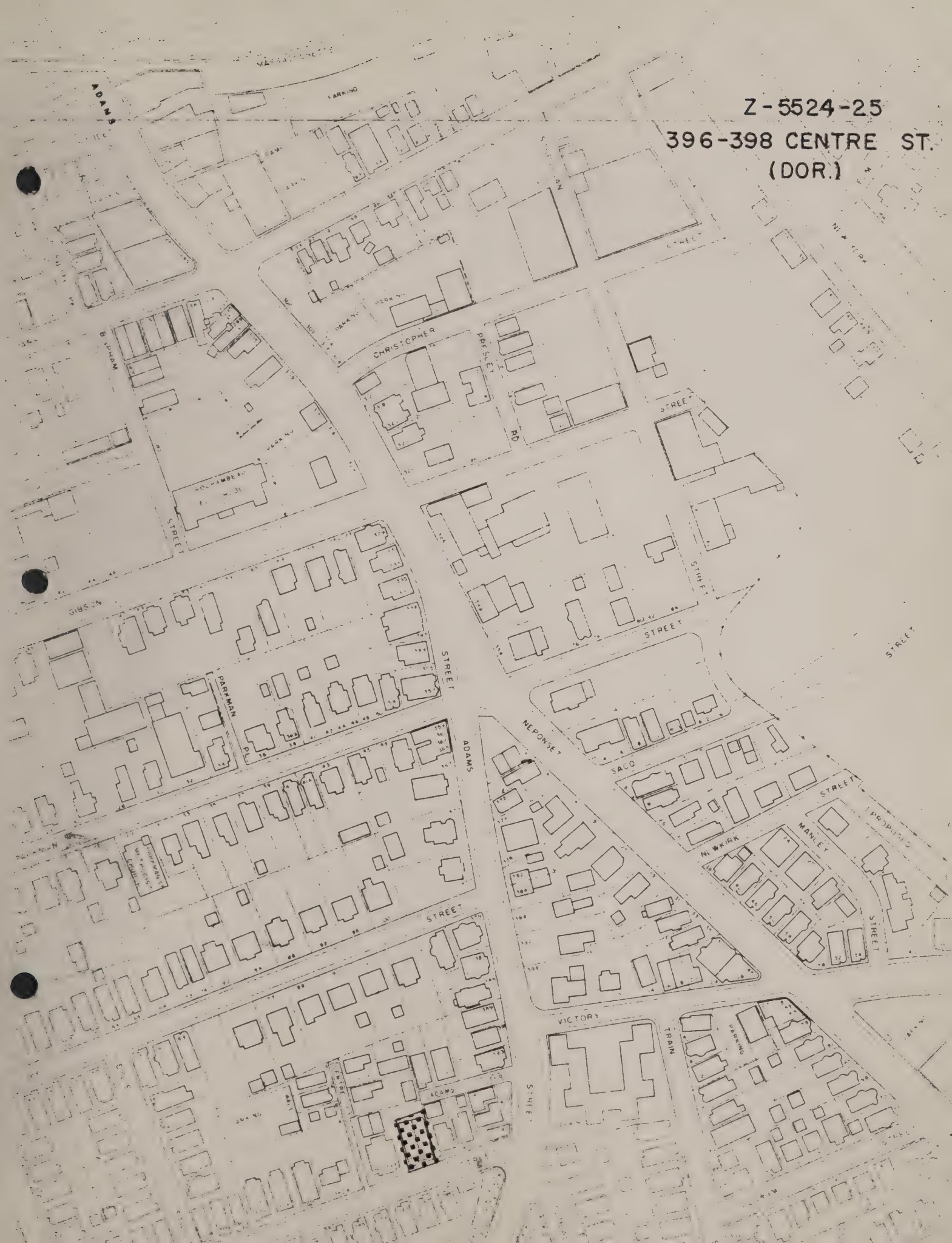
Section

- 14-1 Lot area is insufficient
- 14-3 Lot width is insufficient
- 14-4 Lot frontage is insufficient
- 19-1 Side yard is insufficient

Subdivision will allow sale to buyers who will also occupy units. Violations are technical. Recommend approval.

VOTED: In reference to petitions Z-5524-5525, brought by Franruss Corporation, 396-398 Centre Street, Dorchester, for eight variances to subdivide land in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval. Subdivision will allow sale to buyers who will also occupy units. Violations are existing and technical; no adverse impact.

Z-5524-25
396-398 CENTRE ST.
(DOR.)



Board of Appeal Referrals 2/18/82

Hearing: 3/9

Z-5528
Michael Murray
6 Quint Avenue, Allston
near Brighton Ave

2½ story structure

District(s): apartment H-1 general business industrial
residential local business waterfront
single family manufacturing

Purpose: increase capacity of lodging house - 14 to 16 lodgers.

Violation(s):
Section

8-6. Change in pre existing conditional use.

Lodging facility has existed for many years.
Additional units will be provided in basement.
Seven off-street parking spaces are on site.
Abutters and Civic Associations have no objection.
Recommend Approval.

VOTED: In reference to petition Z-5528, brought by Michael Murray,
6 Quint Avenue, Allston, for a conditional use to increase
capacity of lodging house from 14 to 16 lodgers in an
apartment (H-1) district, the Boston Redevelopment Authority
recommends approval. Lodging facility has existed for many
years. Additional units will be provided in basement.
Seven off-street parking spaces are on site.



Z-5528
6 QUINT AVE.
(ALLSTON)

Board of Appeal Referrals 2/18/82

Hearing: 3/2

Z-5530

Michael LoPresti Jr
 23 Waldemar Ave, East Boston
 near Walley Street

2½ story structure

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business_____	waterfront_____
	single family <u>S-.5</u>		manufacturing_____

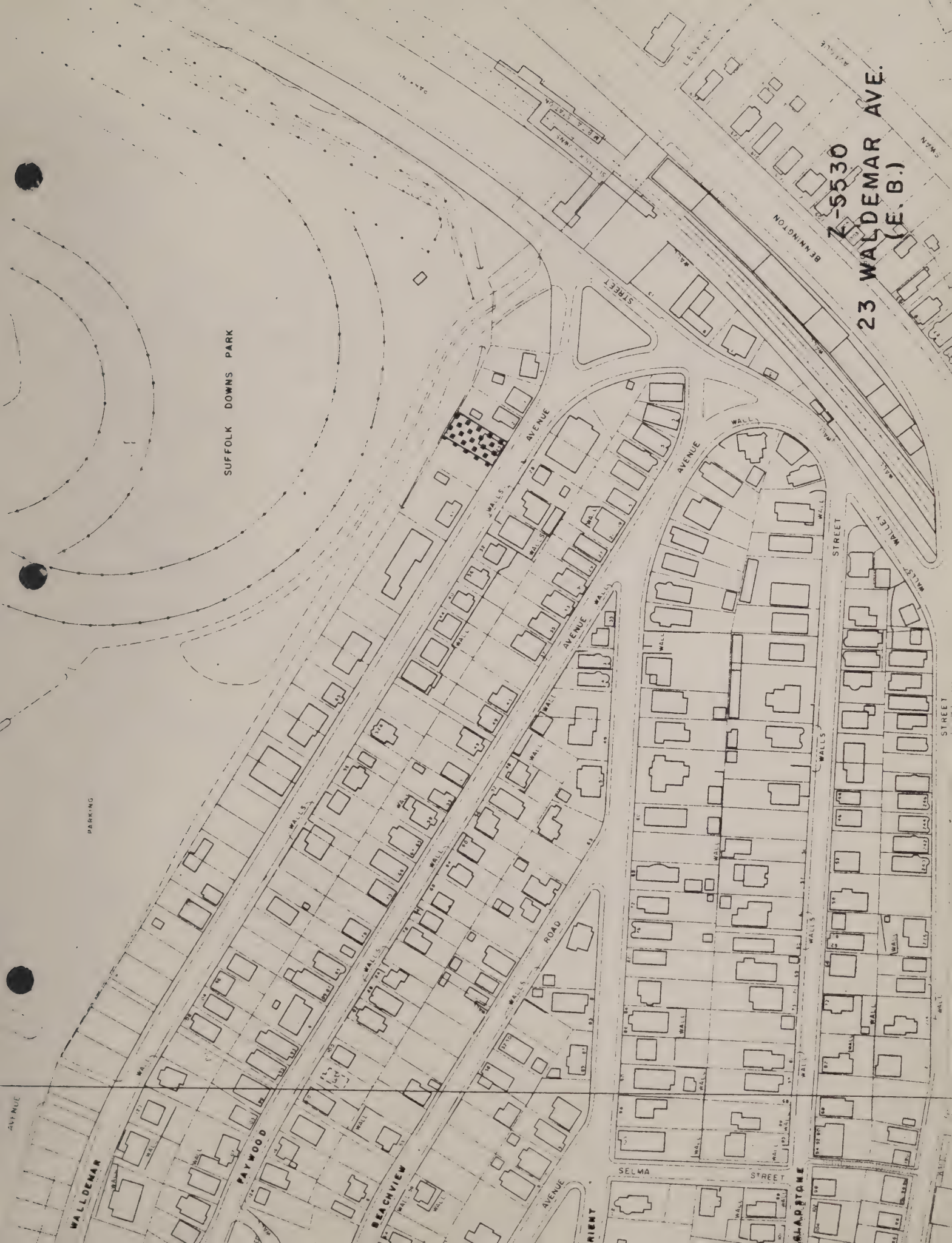
Purpose: erect one story addition to one family dwelling.

Violation(s):
Section

- 18-1. Front yard is insufficient.
 19-1. Side yard is insufficient.

Addition to the side of the building will provide needed family space.
 Front yard violation existing; side yard deficiency minimal.
Recommend Approval.

VOTED: In reference to petition Z-5530, brought by Michael LoPresti, Jr.
 23 Waldemar Avenue, East Boston, for two variances to erect a
 one story addition to a one family dwelling in a single family
 (S-.5) district, the Boston Redevelopment Authority recommends
 approval. Front yard violation existing; side year deficiency
 minimal.



SUFFOLK DOWNS PARK

Z-5530

23 WALDEMAR AVE.
(E.B.)

BENNINGTON STREET

STREET

WALDEMAR AVENUE

WALDEMAR AVENUE

STREET

STREET

PARKING

WALDEMAR AVENUE

PAYWOOD AVENUE

BEACHVIEW AVENUE

SELMA STREET

GLADSTONE STREET

SELMA STREET

STREET

Board of Appeal Referrals 2/18/82

Hearing: 3/9

Z-5531

Mary E Maheigan
42 Auburn St, Charlestown
near Bunker Hill St

Three story structure

District(s):	apartment <u>H-1</u>	general business <u> </u>	industrial <u> </u>
	residential <u> </u>	local business <u> </u>	waterfront <u> </u>
	single family <u> </u>		manufacturing <u> </u>

Purpose: legalize occupancy - two family dwelling

Violation(s):
Section

- 8-7. Dwelling converted for more families which meets less than half of the lot area and open space requirements is forbidden in an H-1 district.
- 14-1. Lot area is insufficient .
- 17-1. Open space is insufficient .

Two family occupancy compatible with street and general neighborhood.
Recommend Approval.

VOTED: In reference to petition Z-5531, brought by Mary E. Maheigan, 42 Auburn Street, Charlestown, for a forbidden use and two variances to legalize occupancy for two family dwelling in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval. Two family occupancy compatible with street and general neighborhood.



Z-5531

42 AUBURN ST.
(CHSN.)

Board of Appeal Referrals 2/18/82

Hearing: 3/2

Z-5544

The Boston Home Inc

Cletus A Carr

2049 Dorchester Ave, Dorchester
at Gallivan Blvd

Convalescent Home complex-2½ story structure

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family S-.5 manufacturing _____

Purpose: change occupancy from nurses-employees residence to hospital
administrative offices and nurses-employees residence

Violation(s):
Section

8-7 Administrative offices accessory to a hospital are forbidden in
an S-.5 district

9-2 Change in a non conforming use

Building is located on grounds of The Boston Home, a chronic long term
care facility. Hospital administrative offices on first floor of
structure will not impact abutting residential neighborhood. Recommend
approval subject to review of tax aspects.

VOTED: In reference to petition Z-5544, brought by The Boston
Home Inc, 2049 Dorchester Ave, Dorchester, for a
forbidden use and change in non conforming use for
change of occupancy from nurses-employees residence to
hospital administrative offices and nurses-employees
residence in a single family (S-.5) district, the
Boston Redevelopment Authority recommends approval
subject to review of tax aspects. Building is located
on grounds of the Boston Home, a chronic long term care
facility. Hospital administrative offices on first
floor of structure will not impact abutting residential
neighborhood.

2049 DORCHESTER AVE.
(DOR.)

